

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08 MD 1932**

<b>IRENE GRACE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>FAMILY DOLLAR STORES, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**THIS MATTER** is before the Court on the Court’s own motion. This motion relates to Defendant’s Motion for Summary Judgment and Memorandum in Support (Doc. No. 261); Plaintiff’s Response in Opposition (Doc. No. 359); and Defendant’s Reply (Doc. No. 400).

Gwendolyn Sinns testified in her deposition that she worked between 80 and 120 hours per week, although she conceded that she had no evidence to support her estimate. (Doc. No. 262, Sinns Dep. at 102). Family Dollar’s attorney responded that Ms. Sinns’ estimate differed from that which is supported by Family Dollar’s records, which were produced to Ms. Sinns’ counsel. (Id.) These records or a declaration regarding these records, however, are not before the Court. The Court requires this information in order to rule on the pending motion for summary judgment.

**THEREFORE**, Family Dollar is directed to supplement its Motion for Summary Judgment and produce the records and/or a declaration regarding this information showing how many hours Gwendolyn Sinns worked per week during the relevant time period no later than ten (10) days from the date of this Order.

**SO ORDERED.**

Signed: December 5, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

